

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

IN RE OIL SPILL BY THE OIL RIG
"DEEPWATER HORIZON" IN THE GULF
OF MEXICO ON APRIL, 20, 2010

CIVIL ACTION

MDL 2179

SECTION: J(1)

ORDER

Before the Court are Certain Plaintiffs' **Motion to Clarify Pretrial Order No. 34 (Rec. Doc. 2047)** and their subsequently filed **Motion for Leave to File Supplemental Memorandum in Support of Unopposed Objection to Pretrial Order No. 34 (Rec. Doc. 2325)**. Certain Plaintiffs' Motions fail on multiple grounds.

Pursuant to Pretrial Order No. 15, unless and until motions are formally set for hearing or other submission by the Court, no oppositions are due. Accordingly, Certain Plaintiffs' second Motion is incorrectly styled as "Unopposed."

The Plaintiffs' Steering Committee ("PSC") has advised the Court that Mr. Jones, the attorney who filed both of the instant Motions, did not present the PSC with their proposed Motion prior to filing.

Aside from these flaws, the Court finds that the Motions are frivolous. Pretrial Order No. 34 clearly and unambiguously states that leave of Court is required for dismissals without prejudice, but that dismissals with prejudice are still allowed without leave of Court. The Order needs no clarification.

IT IS ORDERED that Certain Plaintiffs' Certain Plaintiffs' **Motion to Clarify**

Pretrial Order No. 34 (Rec. Doc. 2047) and their subsequently filed Motion for Leave to File Supplemental Memorandum in Support of Unopposed Objection to Pretrial Order No. 34 (Rec. Doc. 2325) are hereby DENIED.

New Orleans, Louisiana this 12th day of May, 2011.



CARL J. BARBIER
UNITED STATES DISTRICT JUDGE